

REGISTRATION NO. 9704-E

RECORDATION NO. 9704-F

APR 30 1982 -2 05 PM

APR 30 1982 -2 05 PM

9704-E

9704-F

INTERSTATE COMMERCE COMMISSION

INTERSTATE COMMERCE COMMISSION

ELIAS C. ALVORD (1942)  
ELLSWORTH C. ALVORD (1964)

ROBERT W. ALVORD  
ALBERT H. GREENE  
CARL C. DAVIS\*  
CHARLES T. KAPPLER  
JOHN H. DOYLE  
MILTON C. GRACE\*  
GEORGE JOHN KETO\*\*  
RICHARD N. BAGENSTOS

\* NOT A MEMBER OF D.C. BAR  
\*\* ALSO A MEMBER OF OHIO BAR

ALVORD AND ALVORD

200 WORLD CENTER BUILDING

918 SIXTEENTH STREET, N.W.

WASHINGTON, D. C.

20006-2973

April 30, 1982

OF COUNSEL  
JESS LARSON  
JOHN L. INGOLDSBY  
URBAN A. LESTER

CABLE ADDRESS  
"ALVORD"

TELEPHONE  
AREA CODE 202  
393-2266

TELEX

440367 A AND A WSH (INTERNATIONAL)  
440348 CDAA UI (INTERNATIONAL)  
892482 A AND A WSH (DOMESTIC)

2-123A170

Ms. Agatha L. Mergenovich  
Secretary  
Interstate Commerce Commission  
Washington, D.C.

No. APR 30 1982  
Date.....  
Fee \$..22.00

Dear Madam:

ICC Washington, D. C.

Enclosed for recordation pursuant to the provisions of 49 U.S.C. §11303 are the original and two xerox copies each of 1) Confirmation of Release executed on January 20, 1982, and 2) Confirmation of Termination executed on February 5, 1982, both being a "secondary document" as that term is defined in 49 C.F.R. §1116.1(b) of the Revised Rules for the Recordation of Documents.

Kindly note that the enclosed documents effect a partial release and a partial termination of the railroad equipment covered by the following primary documents:

Security Agreement dated as of August 30, 1978 between National Railway Utilization Corporation ("NRUC"), Secured Party, and Middletown & New Jersey Railway Co., Inc. ("Railway"), and Lease Agreement dated as of August 30, 1978 between NRUC, Lessor, and Railway, Lessee, as amended, which were duly filed and recorded at 2:30 p.m. on September 22, 1978 and assigned Recordation Numbers 9704 and 9704-A, respectively.

A general description of the railroad equipment covered by the enclosed documents is:

Seventy-five (75) boxcars bearing car mark and numbers MNJ 120618 through MNJ 120692, both inclusive.

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Counterpart - CT Recorded

Ms. Agatha L. Mergenovich  
Secretary  
April 30, 1982  
Page Two

Kindly return the copies of the Confirmation of Release and Confirmation of Termination not needed for recordation purposes to Charles T. Kappler, Esq., Alvord and Alvord, 918 Sixteenth Street, N.W., Washington, D.C. 20006.

Also enclosed is a check in the amount of \$20.00 payable to the order of the Interstate Commerce Commission covering required recordation fees.

Very truly yours,

  
Charles T. Kappler

**Interstate Commerce Commission**  
Washington, D.C. 20423

OFFICE OF THE SECRETARY

April 30, 1982

Charles T. Kappler  
Alvord and Alvord  
200 World Center Building  
918 Sixteenth St. N. W.  
Washington, D. C. 20006

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 4/30/82 at 2:05PM, and assigned recordation number(s) 9704-E, & 9704-F

Sincerely yours,

*Agatha L. Mergenovich*  
Agatha L. Mergenovich  
Secretary

Enclosure(s)

RECORDATION NO.

9704-E

FILE 1425

APR 30 1982 -2 05 PM

CONFIRMATION OF RELEASE**INTERSTATE COMMERCE COMMISSION**

The undersigned, NATIONAL RAILWAY UTILIZATION CORPORATION, a South Carolina corporation (the "Secured Party") hereby evidences and confirms that its estate and interest with respect to 75 boxcars bearing car mark and numbers MNJ 120618 through 120692, both inclusive, including its security interest in and to the contract rights, chattel paper, accounts, rentals, fees, charges, income and other proceeds arising from or in connection with the use of such cars originally granted under the Security Agreement dated as of August 30, 1978 between the Secured Party and Middletown & New Jersey Railway Co., Inc., a New York corporation filed with the Interstate Commerce Commission on September 22, 1978 and given Recordation No. 9704, has been terminated, such security interest has been released and such Security Agreement is of no further force and effect, and the undersigned claims no further right, title or interest in said 75 boxcars or any income or proceeds therefrom.

NATIONAL RAILWAY UTILIZATION  
CORPORATION

[SEAL]

Attest:

By

Its

Asst.

Secretary

STATE OF South Carolina )  
 ) SS  
COUNTY OF Pickens )

On this 20th day of January, 1982, before me personally appeared Carol D. Vinson, to me personally known, who being by me duly sworn, says that (s)he is the Sr. Vice President of NATIONAL RAILWAY UTILIZATION CORPORATION, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and (s)he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

[SEAL]

George Anna Green  
Signature of notary public

My commission expires

Jan. 3, 1990